

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L ALMATY 000746

SIPDIS

DEPARTMENT FOR EUR/CACEN (JMUDGE), DRL/PHD (PDAVIES)

E.O. 12958: DECL: 02/23/2015

TAGS: PHUM PGOV KZ POLITICAL

SUBJECT: KAZAKHSTAN: DAS KENNEDY'S MEETING WITH KARLYGASH ZHAKIYANOVA

REF: A) 04 ALMATY 4314 B) ALMATY 545 AND PREVIOUS C)
ALMATY 24

Classified By: Ambassador John Ordway, reasons 1.4 (B) and (D).

1. (C) Summary: In a February 5 meeting in Almaty, EUR DAS Laura Kennedy and Karlygash Zhakiyanova discussed the state of jailed Democratic Choice of Kazakhstan (DCK) leader Galymzhan Zhakiyanov's health and increasing pressure on him by settlement colony authorities. Zhakiyanova handed over a letter to President Bush asking for his attention to her husband's plight. In the meeting with DAS Kennedy and an earlier conversation with POEC chief, Zhakiyanova detailed the growing split within DCK as a result of exiled party leader Mukhtar Ablyazov's insistence on provoking conflict with the GOK. End summary.

Conditions of Zhakiyanov's Detention

2. (C) On February 5, EUR DAS Laura Kennedy met with Karlygash Zhakiyanova, wife of jailed DCK leader Galymzhan Zhakiyanov, in Almaty. The Ambassador, DCM, and POEC chief also participated. Zhakiyanova indicated that her husband's mood was good and that the conditions of his detention at the settlement colony in Shiderty were somewhat better than when he was in a regular prison. Due to increasing pressure from the authorities, however, conditions were deteriorating. Zhakiyanov was no longer allowed to meet with visitors in the house he rents in Shiderty; instead, he is required to have all meetings in the colony administration building.

3. (C) Zhakiyanova told DAS Kennedy that on January 21, Zhakiyanov had been accused of missing work and placed in a special punishment cell. His clothes were taken away, and he was given only a thin robe to wear in the unheated, very small concrete cell. In an earlier meeting with POEC chief, Zhakiyanova explained that her husband had left the settlement colony with the permission of his employer to obtain painkiller for a toothache. She claimed that colony officials had pressured the employer to state that Zhakiyanov had left without permission, and had punished him on that basis. Zhakiyanova called Security Council chairman Bulat Utemuratov, whom she described as an old acquaintance, for help late on January 21. Due to his intervention, Zhakiyanov was released the evening of January 22. Zhakiyanova said that the experience had caused him to fall ill, but he was now recovering.

4. (C) Zhakiyanova told DAS Kennedy that her own health had suffered due to her husband's situation and her ceaseless work to dispute the "violations" that had been assessed while in Shiderty (Ref A). Authorities have threatened to return Zhakiyanov to prison to serve his full seven-year term if there is one more violation. Zhakiyanova had been hospitalized in Almaty around the New Year for heart problems.

Appeal to President Bush

5. (C) Zhakiyanova said that she and her husband had noted President Bush's expression of support for political prisoners around the world during his inauguration speech. She gave DAS Kennedy a letter to the President outlining her husband's plight, including a copy of a signed photo of the couple with then-Governor Bush, taken during a 1995 visit to Texas when her husband was akim (appointed governor) of the Semipalatinsk region. DAS Kennedy agreed to convey the letter to the White House. (Note: Pouched to EUR/CACEN on February 7.)

6. (C) Zhakiyanova emphasized to DAS Kennedy that her husband was not seeking early release (at present he is scheduled to be released in October 2005 on good behavior) or political rehabilitation. He is asking only to be transferred to Almaty so that he can live with his family, as the law provides in such cases. DAS Kennedy noted that Zhakiyanov's case had been one of the first matters she had dealt with as DAS, and expressed hope that the GOK would

relent.

Discord among the Opposition

17. (C) Noting that she had recently met with the Opposition Coordination Council (OCC) to discuss her husband's situation, Zhakiyanova informed DAS Kennedy that there had

not been agreement on what approach to take. She expressed frustration that opposition leaders claim to be concerned with the fate of the country, but are not interested in working on the "small steps" - such as advocating for her husband - that might lead to progress.

18. (C) In a February 3 meeting with POEC chief, Zhakiyanova indicated that she disagreed with the OCC's decision not to participate in the work of the National Commission on Democratization and Civil Society (NKVD). She expressed frustration that the opposition put forward unrealistic demands, including the invalidation of September parliamentary elections and her husband's release, as prerequisites for taking part in the NKVD. She thought that opposition leaders were using her husband's name unfairly as a slogan. If opposition forces were really interested in helping him, she said, they would make his transfer to Almaty the sole condition for participation. By including her husband's release in a list of unreasonable demands, such leaders were only providing an excuse for increased government pressure on Zhakiyanov.

19. (C) Zhakiyanova told POEC chief that the December 28 motion to liquidate DCK (Ref B) had provoked a true split in the party between supporters of her husband and those who sided with current party leader Assylbek Kozhakhmetov and DCK funder Mukhtar Ablyazov. Ablyazov has lived in Moscow since being released from prison here; he exerts his influence within DCK via Kozhakhmetov and press spokesman Vladimir Kozlov. The December 11 statement that provoked the liquidation motion had been Ablyazov's and Kozlov's doing, with Kozhakhmetov's support. Others in the party had opposed taking such a harsh approach; some had suggested specifying that the call for civil disobedience should be qualified "within the framework of the Constitution," to underscore that they were talking about lawful actions such as hunger strikes.

110. (C) Zhakiyanova stated that at a DCK political council meeting after the motion was filed, Kozlov announced that "Ablyazov pays the bills and you're therefore going to do things his way." He then stated that Senator Zauresh Battalova, Petr Svoik, and Gulzhan Yergeliyeva should be kicked out of the party. At another political council meeting in late January, according to Zhakiyanova, the decision was taken to exclude Svoik and Yergeliyeva, but not Battalova since she is DCK's only member of Parliament. Commenting sarcastically that "wife of the party founder" is not an official position, Kozlov had even objected to Zhakiyanova being allowed to speak at the DCK meeting. Zhakiyanova stated that Ablyazov and his supporters had planned the January 29 unauthorized DCK rally in Almaty as a way to create conflict with the authorities by provoking mass arrests; they had been disappointed that only eight participants were arrested.

111. (C) When asked why Ablyazov was leading the party on a collision course with the GOK, Zhakiyanova said that there are numerous theories. One is that, since cooperation with the KNB was a condition of his early release from prison, Ablyazov is doing the GOK's bidding to splinter and weaken the opposition. The other theory is that Ablyazov is angling for the 24% stake in Bank TuranAlem (BTA) that became available when BTA president Erzhan Tatishev was killed on December 19 in a suspicious hunting accident (Ref C). Zhakiyanova told POEC chief that Tatishev and Ablyazov had long-standing financial ties; Tatishev had helped Ablyazov liquidate his assets and move them offshore after his arrest.

112. (U) DAS Kennedy did not have the opportunity to clear this cable.

NNNN